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SHAFFER & GAIER, LLC
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Attorneys for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

C.L. and J.L., parent and natural	:	CIVIL ACTION	
guardians of P.L., a minor	:		
c/o SHAFFER & GAIER, LLC	:		
1628 JFK Blvd., Ste. 400	:		19 1623
Philadelphia, Pa 19103	:		
Plaintiffs,	:		
	:		
vs.	:		
	:	NO.	
WOODS SERVICES	:		
40 Martin Gross Drive	:		
Langhorne, Pa 19047	:		

COMPLAINT

Plaintiffs, C.L. and J.L., parents and natural guardians of P.L., a minor, by and through their attorneys, Michael D. Shaffer, Esquire and Michael H. Gaier, Esquire, of Shaffer & Gaier, LLC, allege as follows:

PARTIES

1. Plaintiffs, C.L. and J.L., are parents and natural guardians, and are adult citizens and residents of the State of New York. They can be contacted through their counsel, Michael D. Shaffer, Esquire and Michael H. Gaier, Esquire, at 1628 JFK Blvd., Ste. 400, Philadelphia, Pa 19103.

2. P.L. is a minor, and is a citizen and resident of the State of New York. She can be contacted through her counsel, Michael D. Shaffer, Esquire and Michael H. Gaier, Esquire, at 1628 JFK Blvd., Ste. 400, Philadelphia, Pa 19103.

3. Defendant, Woods Services (“Woods”), is a private residential facility located at 40 Martin Gross Drive, Langhorne, Pa 19047.

4. Woods is a 501(c)(3) non-profit multi-service population health management and advocacy organization that provides health, education, housing, workforce, behavioral health and case management services to more than 4,000 children and adults in the intellectual and developmental disability, child welfare, behavioral and brain trauma public health sectors.

5. Woods is in the business of providing support services for individuals with developmental and intellectual disabilities.

6. At all times material hereto, the Defendant acted by and through their agents, servants, workmen and/or employees.

JURISDICTION AND VENUE

7. Jurisdiction is proper in this District pursuant to 28 U.S.C. §1332 as there is diversity of citizenship and the amount in controversy exceeds the jurisdictional limits.

8. Venue is proper in this District pursuant to 28 U.S.C. §1391 (b)(1) because Defendant resides and/or transacts business in this District.

9. Venue is proper in this District pursuant to 28 U.S.C. §1391 (b)(2) because the events or omissions giving rise to the claim occurred in this District.

MATERIAL FACTS

10. P.L. is a minor with a significant psychological history. More specifically, she has been diagnosed with the following: Tic Disorder, Seizure Disorder, Autism and OCD. She is non-verbal and has severe cognitive limitations.

11. Despite its proclamations that it provides quality and competent care to its residents, Woods has a well-documented history of abuse and neglect of its residents.

12. In fact, Woods has a culture of abuse and neglect which goes unreported and unaddressed because Woods promotes a culture and environment that discourages reporting abuses by its employees.

13. Prior to her admission to Woods Services, P.L. had a significant history of psychiatric, mental and cognitive disorders as noted above.

14. Woods Services advertised and promoted itself as being able to handle and treat persons such as P.L. who have this type of condition and diagnosis.

15. Woods Services accepts insurance compensation and benefits for services it provides and therefore has a pecuniary interest in servicing clients such as P.L.

16. On or about May 19, 2017, P.L. was a resident at Woods.

17. On or about May 19, 2017, P.L. was assaulted by an agent/employee of Woods Services. More specifically, P.L. was assaulted and stomped on by an agent/employee of Woods, causing her to sustain various serious and significant physical injuries.

18. More specifically, an employee of Woods Services took a shoe and struck her after Plaintiff was “acting out.” *See photographs of injuries attached as Exhibit A.* To make matters worse, the Defendant then conspired to cover up the incident.

19. Since this incident, and because of the aforesaid assault, P.L. has suffered post-traumatic stress disorder and has become increasingly agitated and violent and suffers from other emotional stress.

20. P.L. has developed serious trust issues and is afraid of any mental health worker because she fears for her safety due to this incident.

21. At all times material hereto, Defendant acted by and through its agents, employees and servants.

**COUNT I
ASSAULT AND BATTERY**

22. Plaintiff incorporates the prior paragraphs as if set forth in full herein.

23. Woods, by and through its agents, employees and servants assaulted and battered P.L. causing certain injuries. Namely, Defendant used excessive force against P.L. and stomped on her back and right arm, thereby creating an unlawful assault and battery.

24. The above incidents caused P.L. to incur serious and permanent personal injuries.

25. As a result of Defendant's conduct, Plaintiff has been and may in the future be prevented from attending to those usual and customary wants, duties, toils, labors, occupations and avocations in which Plaintiff previously engaged, thereby foregoing the pleasures and emoluments attendant thereto, all to Plaintiff's great detriment and loss.

26. As a result of the Defendant's conduct, Plaintiff has been and may in the future be required to expend various sums of monies for medical care and treatment in an endeavor to affect a treatment and cure of the aforesaid injuries and such other items of expense which have been incurred or which will be incurred and ascertained in the future, all to Plaintiff's great detriment and loss.

27. As a result of the Defendant's conduct, Plaintiff has suffered severe physical and

emotional pain, mental anguish, emotional distress and humiliation and may continue to so suffer for an indefinite time into the future, all to Plaintiff's great detriment and loss.

28. As a result of the Defendant's conduct, Plaintiff has been and may in the future be required to expend various sums of monies for such other items of expense which either have been incurred but have not as yet been documented or which are to be incurred and ascertained in the future, and various and sundry other losses and expenses, all to Plaintiff's great detriment and loss.

29. The conduct of the Defendant, as stated herein, was willful, wanton and malicious and in conscious disregard to the rights of the Plaintiff, allowing Plaintiff to recover and receive punitive damages from Defendant.

WHEREFORE, Plaintiffs demand judgment against Defendant for compensatory and punitive damages, together with attorney fees and costs, and pre-and-post judgment interest. Plaintiffs hereby certify pursuant to Local Civil Rule 53.2(3) that the value of Plaintiffs' claim in in excess of \$150,000.00 exclusive of interest and costs.

COUNT II NEGLIGENCE

30. Plaintiffs incorporate the prior paragraphs as if set forth in full herein.

31. The Defendant was negligent, careless and unreasonable in performance of their duties in the following respects:

- a) failure to provide adequate supervision and treatment to P.I. including, but not limited to, allowing P.I. to be assaulted and battered by an agent, employee, servant of Defendant;
- b) failure to comply with the needs of P.I. while she was a resident of Woods;
- c) failure to train their agents/employees the proper techniques and methods to restrain persons such as P.I.;

- d) failure to have in their employ individuals who possess adequate skill and training to properly interact with and supervise P.L.;
- e) failure to establish proper protocol to ensure that residents such as P.L. receive appropriate care and treatment;
- f) employing an individual who physically assaulted and battered the Plaintiff;
- g) failing to conduct background checks on its employees;
- h) failing to supervise its employees and allowing an assault such as this to occur.

32. As a result of Defendant's negligence and carelessness, Plaintiff has been and may in the future be prevented from attending to those usual and customary wants, duties, toils, labors, occupations and avocations in which Plaintiff previously engaged, thereby foregoing the pleasures and emoluments attendant thereto, all to Plaintiff's great detriment and loss.

33. As a result of the Defendant's negligence and carelessness, Plaintiff has been and may in the future be required to expend various sums of monies for medical care and treatment in an endeavor to affect a treatment and cure of the aforesaid injuries and such other items of expense which have been incurred or which will be incurred and ascertained in the future, all to Plaintiff's great detriment and loss.

34. As a result of the Defendant's negligence and carelessness, Plaintiff has suffered severe physical and emotional pain, mental anguish and humiliation and may continue to so suffer for an indefinite time into the future, all to Plaintiff's great detriment and loss.

35. As a result of the Defendant's negligence and carelessness, Plaintiff has been and may in the future be required to expend various sums of monies for such other items of expense which either have been incurred but have not as yet been documented or which are to be incurred and ascertained in the future, as well as loss of income and earning capacity, and various and sundry other losses and expenses, all to Plaintiff's great detriment and loss.

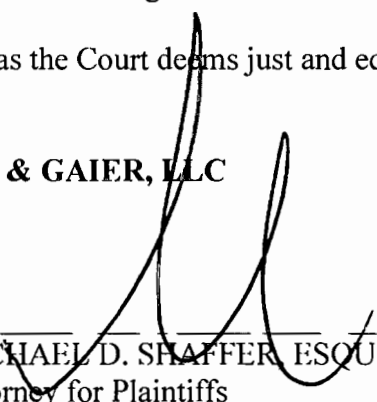
36. The conduct of the Defendant, as stated herein, was willful, wanton and malicious and in conscious disregard to the rights of the Plaintiff, allowing Plaintiff to recover and receive punitive damages from Defendant.

WHEREFORE, Plaintiffs demand judgment against Defendant for compensatory and punitive damages, together with attorney fees and costs, and pre-and-post judgment interest. Plaintiffs hereby certify pursuant to Local Civil Rule 53.2(3) that the value of Plaintiffs' claim in in excess of \$150,000.00 exclusive of interest and costs.

CLAIM FOR RELIEF

WHEREFORE, Plaintiffs request that judgment be entered against Defendant for damages to be determined at trial and for all other relief as the Court deems just and equitable.

SHAFFER & GAIER, LLC

BY:  _____
MICHAEL D. SHAFFER, ESQUIRE
Attorney for Plaintiffs

Date:  4.15.19

VERIFICATION

I hereby state that the facts set forth are true and correct to the best of my knowledge,
information and belief; and that this statement is made subject to the penalties of 18 Pa.C.S. §4904,
which relates to unsworn falsification to authorities.

x CML and JML 4/15/19

EXHIBIT A

